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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/800,286	03/12/2004	Daniel R. DaSilva	7896.36	1304

68203 7590 09/12/2007
PELCO
3500 PELCO WAY
CLOVIA, CA 93612

EXAMINER

DANG, HUNG Q

ART UNIT	PAPER NUMBER
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2621

MAIL DATE	DELIVERY MODE
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09/12/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/800,286

Applicant(s)

DASILVA, DANIEL R.

Examiner

Hung Q. Dang

Art Unit

2621

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 March 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-18 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 12 March 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>03/12/2004</u> | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1 and 10-12 are rejected under 35 U.S.C. 102(e) as being anticipated by Klarfeld et al. (US 2003/0067554).

Regarding claim 1, Klarfeld et al. disclose a method for storing units of incoming video data on an empty storage medium ([0168]) comprising the steps of: establishing a set of priorities for video data of different types ([0168]); establishing a set of rules for each established priority ([0168]); assigning a priority to each unit of incoming video data according to its type ([0168]); storing said units of incoming video data on said storage medium until all storage locations thereon are occupied ([0169]); thereafter storing units of incoming video data at storage locations on said medium by overwriting existing stored video data at said locations, said locations being selected according to the lowest priority video data that is expendable according to any applicable rules ([0169]).

Regarding claim 10, Klarfeld et al. disclose a method for prioritizing video data to determine which data on a storage medium will be overwritten to make way for new

data ([0168]; [0169]) comprising the steps of: establishing a set of priorities for video data of different types ([0168]); establishing a set of rules for maintaining video data of a given priority ([0168]); assigning a priority to each new data unit according to its type ([0168]); if empty storage locations are available on said medium, storing units of video data in said empty storage locations ([0169]); if empty storage locations are not available, selecting a storage location containing video data having the lowest priority that is expendable according to the data priority and the established rules ([0168]; [0169]); and overwriting the video data in said selected storage location with said new video data ([0169]).

Regarding claim 11, Klarfeld et al. also disclose the established priorities and rules may be changed in real time ([0168]; [0169]).

Regarding claim 12, Klarfeld et al. also disclose additional step of changing the priority of stored video data units in real time in order to change the availability of the space occupied by the associated video data on the storage medium ([0168]; [0169]).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 2-9 and 13-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Klarfeld et al. (US 2003/0067554) as applied to claims 1 and 10-12 above, and further in view of Hayashi (US Patent 6,434,323).

Regarding claim 2, see the teachings of Klarfeld et al. as discussed in claim 1 above. However, Klarfeld et al. do not disclose the creation time of each incoming unit of video data is maintained and said rules are based on the age of the data.

Hayashi discloses the creation time of each incoming unit of video data is maintained and said rules are based on the age of the data (column 10, lines 22-29).

One of ordinary skill in the art at the time the invention was made would have been motivated to incorporate the maintaining of the creation time of each incoming unit of video data and the rules being based on the age of the data disclosed by Hayashi into the method disclosed by Klarfeld et al. to discard old data. The incorporated feature would help users to keep up-to-date video data.

Regarding claim 3, Hayashi also discloses said rules include at least one retention time for each established priority, and existing stored video data of a given priority is overwritten with incoming video data if the age of the existing video is outside of the applicable the retention time (column 10, lines 22-29).

Regarding claim 4, Klarfeld et al. also disclose the selection of storage locations to be overwritten comprises the additional steps of identifying the stored video at each priority level, beginning at the lowest priority, applying any applicable rules to the video at such priority level to determined whether any such video stored at a given location is expendable, and overwriting the first identified expendable video with the incoming video ([0168]; [0169]).

Regarding claim 5, Hayashi also discloses in the event that more than one stored video at a given priority level is determined to be expendable, the oldest such video is overwritten by the incoming video (column 10, lines 22-29).

Regarding claim 6, Klarfeld also discloses at least one priority level calls for indefinitely maintaining video data that is assigned such priority (requested by users in [0168]; [0169]).

Regarding claim 7, Klarfeld also disclose at least two different priority levels are established ([0168]; [0169]), and each priority level has a different retention time with longer retention times assigned to higher priority levels ([0168]; [0169]).

Regarding claim 8, Klarfeld et al. also disclose changing the priority of stored video data units in real time in order to change the availability of the space occupied by that data on the storage medium ([0168]; [0169]).

Regarding claim 9, Klarfeld et al. also disclose the types of data are selected from the group consisting of: alarm, event, pre-event, archive, continuous, scheduled, user-defined, and combinations thereof ([0168]; [0169]).

Regarding claim 13, see the teachings of Klarfeld et al. as discussed in claim 10 above. However, Klarfeld et al. do not disclose said rules include at least one retention time for each established priority, and existing stored video data of a given priority is overwritten with new video data if the age of the existing video is outside of the applicable the retention time.

Hayashi discloses rules include at least one retention time for the established priority, and existing stored video data of a given priority is overwritten with new video

data if the age of the existing video is outside of the applicable the retention time ("the retention time is established as the age of the oldest record" in column 10, lines 22-29).

One of ordinary skill in the art at the time the invention was made would have been motivated to incorporate the retention time and the corresponding rule of overwriting disclosed by Hayashi into the method disclosed by Klarfeld et al. to discard old data. The incorporated feature would help users to keep up-to-date video data.

Regarding claim 14, Klarfeld et al. also disclose the selection of storage locations to be overwritten comprises the additional steps of identifying the stored video at each priority level, beginning at the lowest priority level, applying any applicable rules to the video at such priority level to determine whether any such video stored at a given location is expendable, and overwriting the first identified expendable video with the new video ([0168]; [0169]).

Regarding claim 15, Hayashi also discloses in the event that more than one stored video at a given priority level is determined to be expendable, the oldest such video is overwritten by the new video (column 10, lines 22-29).

Claims 16-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Klarfeld et al. (US 2003/0067554) and Kimura et al. (US Patent 7,096,237).

Regarding claim 16, Klarfeld et al. disclose a method for managing units of video data on a storage medium ([0169]) comprising the steps of: establishing a set of priorities for video data of different types ([0168]); establishing a set of rules for maintaining video data of a given priority ([0168]); assigning a priority to each new video data unit according to its type ([0168]); using a table to maintain at least the assigned

priority for any video data stored at each storage location on said medium (Fig. 1; [0168]); if said table reflects that empty storage locations are available on said medium, storing each unit of new video data in such empty storage locations and updating the corresponding entries in said table ([0169]; [0191]); if said table reflects that empty storage locations are not available on said medium, scanning said table to select a storage location containing video data having the lowest priority that is expendable according to the data priority and the established rules ([0168]; [0169]); and overwriting the video data in said selected storage location with said new video data and updating the corresponding entry in said table ([0168]; [0169]; [0191]).

However, Klarfeld et al. do not disclose the creation time and address for each video data in the table.

Kimura et al. disclose the creation time and address for each video data in a table (abstract; column 24, lines 29-44).

One of ordinary skill in the art at the time the invention was made would have been motivated to incorporate the creation time and the address information disclosed by Kimura et al. into the method disclosed Klarfeld et al. for management purpose. The incorporated features would enhance the user interface of the method because it can tell when the video data was created and/or its ages. It also helps locating the files on the storage device without that, the locating and deleting of located files disclosed in [0169] would be impossible.

Regarding claim 17, Klarfeld et al. also disclose the selection of storage locations to be overwritten comprises the additional steps of using said table to first identify the

stored video at each priority level, beginning at the lowest priority level, applying any applicable rules to the video at such priority level to determine whether any such video stored at a given location is expendable, overwriting the first identified expendable video with the new video, and updating the corresponding entry in said table ([0169]).

Claim 18 is rejected under 35 U.S.C. 103(a) as being unpatentable over Klarfeld et al. (US 2003/0067554) and Kimura et al. (US Patent 7,096,237) as applied to claims 16-17 above, and further in view of Hayashi (US Patent 6,434,323).

Regarding claim 18, see the teachings of Klarfeld et al. and Kimura et al. as discussed in claim 17 above. However, the proposed combination of Klarfeld et al. and Kimura et al. does not disclose in the event that more than one stored video at a given priority level is determined to be expendable, the oldest such video is overwritten by the new video.

Hayashi discloses in the event that more than one stored video at a given priority level is determined to be expendable, the oldest such video is overwritten by the new video (column 10, lines 22-29).

One of ordinary skill in the art at the time the invention was made would have been motivated to incorporate the rule of overwriting disclosed by Hayashi into the method disclosed by Klarfeld et al. and Kimura et al. to discard old data. The incorporated feature would help users to keep up-to-date video data.

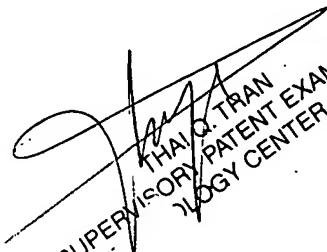
Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hung Q. Dang whose telephone number is 571-270-1116. The examiner can normally be reached on M-Th:7:30-6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thai Tran can be reached on 571-272-7382. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.


Hung Dang
Patent Examiner


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